

**REMARKS**

Reconsideration of this application, as presently amended, is respectfully requested. Claims 1-4 are pending in this application. Claims 1-4 stand rejected.

**Claim Rejection- 35 U.S.C. §103**

Claims 1-4 are rejected under 35 U.S.C. §103 as being unpatentable over **Mizoguchi** (USP 5,841,466, previously cited) in view of **Iwasa et al.** (WO 02/42890). For the reasons set forth in detail below, this rejection is respectfully traversed.

The newly cited **Iwasa et al.** reference corresponds to U.S. Patent Application Publication No. 2003/0199267. Therefore, the comments below regarding **Iwasa et al.** are based on the U.S. Patent Application Publication because this document is in English.

The **Mizoguchi** reference has been previously applied against the claims and has been discussed in detail in previous responses. Because the **Mizoguchi** reference has been discussed in detail in the previous responses, a detailed discussion of the **Mizoguchi** reference will not be repeated here. In summary, the Examiner recognizes that **Mizoguchi** does not disclose the claimed “*means for ...inhibiting operation of the liquid crystal projector...by nullifying operation of keys of the operation means...in response to determining that the number of times an erroneous password is entered exceeds a predetermined number of times*” as recited in claims 1 and 3 (and similarly in claims 2 and 4).

The current Office Action applies the **Iwasa et al.** reference to teach “determining a number of times an erroneous password is entered and to inhibit operation of an electronic

system by nullifying operation of keys of the operation means, in response to determining that the number of times an erroneous password is entered exceeds a predetermined number of times.”

See Office Action, page 3, lines 9-14.

**Iwasa et al.** discloses a security system for an information processing apparatus, such as a personal computer (PC), wherein the PC is configured to present a password entry screen and to start up the operating system (OS) of the PC only when a wireless communication link is established between a portable information apparatus (e.g., a portable telephone or PDA) and the PC.

For example, as shown in Fig. 2, when power to the PC 1 is turned on, the BIOS (Basic Input Output System) is started and checks to see whether the portable information apparatus having a recognition ID pre-registered for security check is located nearby. If the portable apparatus is outside a communication range, the BIOS does not start up. If the portable apparatus is within the communication range, a wireless link with the PC is formed, and the BIOS causes the display screen to switch to the password entry screen. A password is entered, and the BIOS starts the OS only if the correct password is entered.

The Examiner relies on the embodiment shown in Fig. 6 of **Iwasa et al.** The embodiment shown in Fig. 6 relates to security check procedure when the user resumes operation of the PC.

In accordance with the embodiment shown in Fig. 6, the PC starts out in a power saving mode and the input devices of the PC (e.g., keyboard and mouse) are initially in an input device lock state in which the use of the input devices is prohibited (see Fig. 6, step R1; paragraph [0049], lines 1-4; and paragraph [0045], lines 3-6). As discussed in paragraph [0061], the input

device locked state is used to enhance security when the user leaves the PC with the password entered therein. In this state, if the portable information apparatus (portable phone, PDA) is within the communication range, a wireless link with the PC is formed, and the BIOS causes the display screen to switch to the password entry screen. Fig. 6, step R4.

If the correct password is entered, the input device locked state is unlocked, and the operating system OS is restored to a previous state (step R6). If the incorrect password is entered three times, the PC is forcibly placed in the power saving mode in step R1. As noted above, in step R1 the power saving mode is accompanied by an input device lock state in which the keyboard and mouse are locked. See step R1 and paragraphs [0050] and [0061].

As will be discussed in detail below, it is respectfully submitted that the **Mizoguchi** and **Isawa et al.** references are not properly combinable under §103 because (1) the references teach away from each other, and (2) the combination of references would destroy the function of the **Mizoguchi** reference.

*The references teach away from each other*

It is well established that references that teach away cannot serve to create a *prima facie* case of obviousness. *In re Gurley*, 27 F.3d 551, 553, 31 USPQ2d 1131, 1132 (Fed. Cir. 1994).

It is respectfully submitted that the **Isawa et al.** reference teaches away from **Mizoguchi** because **Isawa et al.** teaches that operation of a keyboard is inhibited (i.e., remains in a locked state) when an incorrect password is entered a predetermined number of times, while **Mizoguchi** teaches that key input operations are *not* to be inhibited when an incorrect password is entered.

More specifically, as noted in the December 27, 2007 response, **Mizoguchi** does not teach “nullifying” the key operations of the first remote controller 3 and the second remote controller 5, which act as operation means for operating a liquid crystal projector. In particular, **Mizoguchi** does not teach nullifying the operation of the power switch 12, the reset button 13 and the numerical buttons 14 inputs of the second remote controller 5. The power switch 12, the reset button 13 and the numerical buttons 14 are operational even if the password does not coincide with the registered password. *For example, as shown in Fig. 1A, in steps S15-S17, if the entered password does not coincide, then the password is re-entered. Thus, the numerical buttons 14, which are used to re-enter the password, must not be nullified so that the password can be re-entered.* Further, the Examiner recognizes that **Mizoguchi** does not teach nullifying operation of the power switch 12 (see current Office Action, page 3, lines 3-7).

Further, the first remote controller 3 includes a brightness control knob 9, a gray level control knob 10 and a sound volume control knob 11. However, **Mizoguchi** does not teach that the operation of each of these control knobs is nullified in response to determining that the number of times an erroneous password is entered exceeds a predetermined number of times.

In fact **Mizoguchi** suggests that the operation of the knobs 9, 10 and 11 is not nullified when the image input switch SW is inhibited from turning on when the entered password does not coincide with the registered password *because the LCD display 22 is operational at this time.* As discussed in col. 3, lines 13-23 of **Mizoguchi**, when the user turns the power supply ON by turning on the power switch 12, the character generator 31 is used to generate a message regarding eye health that is displayed on the liquid crystal display 22. The message regarding eye

health is displayed on the liquid crystal display 22 *before* the image input switch SW is switched ON.

Accordingly, **Mizoguchi** suggests that the brightness control knob 9 and the gray level control knob 10 *would have an effect on the operation of the display 22* while the message regarding eye health is displayed, even if the image input switch is OFF (i.e., inhibited). In other words, the brightness and gray level of the display 22 can be adjusted when the message regarding eye health is displayed. **Mizoguchi** does not disclose or suggest that operation of any of the control knobs 9, 10 or the volume knob 11 is inhibited or nullified in any way during operation. **Mizoguchi** only teaches that the image signal supplied from an external source via image input switch SW is inhibited by keeping switch SW off when an entered password does not coincide with a registered password.

Accordingly, it is respectfully submitted that the **Isawa et al.** reference, which teaches *inhibiting input operations of a mouse and keyboard* when a password does not coincide after three attempts to enter the password, teaches away from **Mizoguchi et al.**, which teaches that *operations of a first remote controller 3 and second remote controller 5 are still permitted* when an entered password does not match a registered password.

*The Isawa et al reference destroys the function of Mizoguchi*

It is well established that a §103 rejection based upon a modification of a reference that destroys the intent, purpose or function of the invention disclosed in the reference is not proper and the *prima facie* case of obviousness cannot be made. In short, there would be *no*

*technological motivation* for engaging in the modification or change. To the contrary, there would be disincentive. *In re Gordon*, 733 F2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

As discussed above, the **Isawa et al.** reference teaches that operation of a keyboard and mouse are maintained in a locked or inhibited state when a password is entered three times and the password is not successfully matched with a registered password. However, if the teachings of this inhibiting operation are applied to **Mizoguchi**, the function of the **Mizoguchi** reference will be destroyed.

More specifically, as discussed above, **Mizoguchi** teaches that the input operations of input devices (i.e., first remote controller 3 and second remote controller 5) can be performed (i.e., they are not inhibited), even if there is no password match. For example, as shown in Fig. 1A, in steps S15-S17, if the entered password does not coincide, then the password is re-entered. Thus, the numerical buttons 14 of **Mizoguchi**, which are used to re-enter the password, must not be nullified or locked or prohibited so that the password can be re-entered.

However, if the teachings of Fig. 6 of **Isawa et al.** are applied to **Mizoguchi**, the operation of the **Mizoguchi** input buttons 14 (and other inputs) would be inhibited until the password is confirmed (**Isawa et al.** does not permit the keyboard and mouse to operate *until* the proper password is entered). Therefore, the function of the password entry (and the other input functions of the remote controllers 3, 5) in the **Mizoguchi** reference would be destroyed if combined with the teachings of **Isawa et al.** because no key re-entry of the password via input buttons would be possible.

Accordingly, it is submitted that the **Isawa et al.** and the **Mizoguchi** references teach away from each other, and that the combination of the teachings of **Isawa et al.** with **Mizoguchi** destroys the function of the **Mizoguchi** reference. Therefore, a *prima facie* case of obviousness has not been established. Reconsideration and withdrawal of the rejection under §103 are respectfully requested.

**CONCLUSION**

In view of the foregoing, it is submitted that all pending claims are in condition for allowance. If the Examiner believes that there are issues remaining to be resolved, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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